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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,468	02/05/2001	Robert Groat	NETD-0106-1	1942

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EXAMINER

VINCENT, DAVID ROBERT

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,468

Applicant(s)

GROAT ET AL.

Examiner

David R. Vincent

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 192-293 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 192-293 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 192-242 because 192, 209, 226 are merely methods for storing data.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 209-242, 260-293 are rejected under 35 U.S.C. 102(b) as being anticipated by Cseri (US 5,623,591).

As shown in e.g., Figs. 1-16, especially 11E, 14, or 16, Cseri discloses a method and apparatus for storing financial status of an entity (Fig. 1; col. 3, line 46-col. 4, line 34) comprising:

generating an outflow/account object (outflow objects are loan payments, taxes, expenses, reoccurring bills, etc., Figs.

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11 or 13-14; col. 3, line 46-col. 4, line 34; using objects as defined in object oriented software, col. 16, lines 25-48; container objects, col. 20, lines 13-18), having an initial value and properties (e.g., col. 34, lines 20-32; Fig. 16A) representing money to be paid or money already paid (paying for loans, taxes, cost of food; budget, col. 26, line 54-col. 27, line 40),

generating an outflow/ account object adjusted value by at least one event object firing (adjusting loan payments, Fig. 13; automated spreadsheet operations, col. 8, lines 48-55; Fig. 11C; Valuechanged, col. 33, lines 29-44; firing by using push button commands, col. 36, lines 28-35; run link commands at regular intervals, col. 39, line 40-col. 40, line 19; budget, col. 26, line 54-col. 27, line 40), inflow object adjusted value based on said inflow object initial value (Fig. 16A; col. 4, lines 1-9),

storing and/or displaying inflow object (storing, col. 26, line 66-col. 27, line 39; displaying, col. 38, lines 65-66; object displayed, col. 41, lines 1-9), as specified in claims 209, 226, 260, 277;

inflow object comprises a plurality of objects (any object can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Fig. 10 and in object oriented software there are

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container objects, col. 20, lines 2-18), as specified in claims 210, 221, 240, 261, 272, 291;

event object comprises a plurality of event objects (objects can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Figs. 10; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 211, 228, 262, 279;

object fires on one particular day (Fig. 13; monthly, col. 11, lines 64-67; col. 36, lines 28-35; col. 39, lines 40-60), as specified in claims 212, 229, 263, 280;

object adjusted value is generated by the event firing a plurality of times (Fig. 11K, calculating payment and paying monthly, Fig. 13; adjusting balance of account after entering a reoccurring payment or entering other items in budget, col. 26, line 54-col. 27, line 40), as specified in claims 215, 217, 219, 230, 232, 234, 236, 264, 266, 268, 270, 281, 283, 285, 287;

daily frequency (Fig. 11C), as specified in claims 214, 231, 265, 282;

weekly frequency (Fig. 11C), as specified in claims 216, 233, 267, 284;

monthly frequency (Figs. 11C, 11E, 13), as specified in claims 218, 235, 269, 286;

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object adjusted value is based on at least one account object held by to be held (items paid in regards to costs of goods sold, Figs. 4-5; loan account, Figs. 11, 13), as specified in claims 220, 237, 288;

account object comprises plurality of account objects (objects can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 238, 289;

outflow/account object adjusted value is based on at least one inflow object paid by or to be paid (paying loans affects balances, Figs. 11E; 11G, 11J; Fig. 13 taxes, Figs. 8; interest rates amount of sales, amount of profit from sales due to costs of producing or selling items, Fig. 4G; food cost, Fig. 5A, 7A; incomes, Figs. 8; or amount of money available to save or invest based on amount of profits), as specified in claims 222, 239, 271, 273, 290;

outflow object comprises plurality of outflow objects (objects can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Figs, 10; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 223, 227, 274, 278;

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outflow object adjusted value is based on at least one variable object (taxes, interest rates amount of sales, amount of profit from sales are variables, Figs. 4G, 5A, 7A; incomes, Figs. 8; variable loan payments, Fig. 13), as specified in claims 224, 241, 275, 292; and

variable comprises a plurality of objects (any object can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 225, 242, 276, 293.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 192-208, 243-259 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri (US 5,623,591) in view of Swiech "Commerce offers PC banking", July 5 1996.

As shown in e.g.; Figs. 1-16, especially 11E, 14, or 16, Cseri discloses a method and apparatus for storing financial

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status of an entity (Fig. 1; col. 3, line 46-col. 4, line 34) comprising:

generating an inflow object (incoming objects are profits, money from sales, etc. outflow objects are loan payments, taxes, expenses, reoccurring bills, etc., Figs. 11, 14, col. 3, line 46-col. 4, line 34; object oriented software, col. 16, lines 25-48; container objects, col. 20, lines 13-18), having an initial value and properties (e.g., col. 34, lines 20-32; Fig. 16A) representing money to be paid or money already paid (paying for loans, taxes, cost of food; budget, col. 26, line 54-col. 27, line 40),

implying that an inflow object adjusted value can be generated by at least one event object firing (automated spreadsheet operations, col. 8, lines 48-55; Fig. 11C; Valuechanged, col. 33, lines 29-44; firing by using push button commands, col. 36, lines 28-35; run link commands at regular intervals, col. 39, line 40-col. 40, line 19; budget, col. 26, line 54-col. 27, line 40), inflow object adjusted value based on said inflow object initial value (Fig. 16A; col. 4, lines 1-9),

storing and/or displaying inflow object (storing, col. 26, line 66-col. 27, line 39; displaying, col. 38, lines 65-66; object displayed, col. 41, lines 1-9), as specified in claims 192, 243;

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inflow object comprises a plurality of objects (any object can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Fig. 10 and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 193, 221, 244;

event object comprises a plurality of event objects (objects can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Figs. 10; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 194, 245;

object fires on one particular day (Fig. 13; monthly, col. 11, lines 64-67; col. 36, lines 28-35; col. 39, lines 40-60), as specified in claims 195, 246;

object adjusted value is generated by the event firing a plurality of times (Fig. 11K, calculating payment and paying monthly, Fig. 13; adjusting balance of account after entering a reoccurring payment or entering other items in budget, col. 26, line 54-col. 27, line 40), as specified in claims 196, 198, 200, 202, 247, 249, 251, 253;

daily frequency (Fig. 11C), as specified in claims 197, 248;

weekly frequency (Fig. 11C), as specified in claims 199, 250;

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monthly frequency (Figs. 11C, 11E), as specified in claims 201, 252;

object adjusted value is based on at least one account object held by to be held (items paid in regards to costs of goods sold, Figs. 4-5; loan account, Figs. 11, 13), as specified in claims 203, 254;

account object comprises plurality of account objects (objects can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 204, 255;

inflow/account object adjusted value is based on at least one outflow object paid by or to be paid (paying loans affects balances, Figs. 11E; 11G, 11J; Fig. 13 taxes, Figs. 8; interest rates amount of sales, amount of profit from sales due to costs of producing or selling items, Fig. 4G; food cost, Fig. 5A, 7A; incomes, Figs. 8), as specified in claims 205, 256;

outflow object comprises plurality of outflow objects (any object can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; Figs, 10; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 206, 257;

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inflow object adjusted value is based on at least one variable object (taxes, interest rates amount of sales, amount of profit from sales are variables, Figs. 4G, 5A, 7A; incomes, Figs. 8; variable loan payments, Fig. 13), as specified in claims 207, 258;

variable comprises a plurality of objects (any object can be linked to other objects, col. 46, lines 5-15; col. 50, lines 10-24; and in object oriented software there are container objects, col. 20, lines 2-18), as specified in claims 208, 259;

Although Cseri implies that the disclosed patent generates an inflow object adjusted value by at least one event object firing (automated spreadsheet operations, col. 8, lines 48-55; Fig. 11C; Valuechanged, col. 33, lines 29-44; firing by using push button commands, col. 36, lines 28-35; run link commands at regular intervals, col. 39, line 40-col. 40, line 19; budget, col. 26, line 54-col. 27, line 40), in the sense that a entity/user can calculate expenses, and profits and run a budget, Cseri fails to anticipate an inflow object adjusted value by at least one event object firing in the sense that inflow objects such as incoming money, e.g. balances on bank accounts or bills, as in accounts payable are adjusted after the profits or loan payments are calculated and net income is received or the loans are paid. Meaning even though Cseri

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disclose budgeting, paying bills, and using an automatic spreadsheet, Cseri doesn't disclose recalculating the adjusted balances of an account such as a checking account or an accounts payable account stating how the new loan balance is zero after paying it.

Swiech teaches generating an inflow object adjusted value by at least one event object firing (by teaching that it is well known to adjusted balances of an account automatically, pg. 2).


It would have been obvious to use Cseri's object oriented automated spreadsheet program to pay loans, and then automatically determine the new balance of an account. Because Cseri discloses setting up reoccurring payments, running a budget, calculating loan payments, and recording income versus expense in order to determine profit. Doing so would make it even more easy to receive income such as direct deposits, or charge card transactions and then pay whatever bills were due, and at the same time, always inform the user of the most recent account bank balance so the e.g., checking account never gets overdrawn.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R. Vincent whose telephone number is 571 272 3080. The examiner can normally be reached on M-TH.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571 272 6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David R Vincent
Primary Examiner
Art Unit 3628

May 6, 2005